

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

RECEIVED
in Clerk's Office

JUL 07 2020

U.S. District Court
Middle District of TN

Case No.

3:20-cv-0581

(to be filled in by the Clerk's Office)

Daniel Lynn Williams

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v- Sgt. N. Quinn

G-unit guards - Unit manager Jones
Warden Hall, Case manager Malone

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Daniel Lynn Williams

All other names by which
you have been known:

ID Number

467989

Current Institution

Hardeman County Correctional Facility

Address

PO BOX 549

Whiteville

City

TN

State

38075

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Mr. Hall

Job or Title (*if known*)

Warden

Shield Number

Employer

Warden - Hardeman Prison

Address

PO BOX 549

Whiteville

City

TN

State

38075

Zip Code

☒

Individual capacity

☐

Official capacity

Defendant No. 2

Name

Mr. Malone

Job or Title (*if known*)

Case Manager

Shield Number

Employer

Hardeman Prison

Address

PO BOX 549

Whiteville

City

TN

State

38075

Zip Code

☒

Individual capacity

☐

Official capacity

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Defendant No. 3

Name

Mrs. Mann

Job or Title (if known)

Sgt

Shield Number

Employer

Hardeman Prison

Address

PO Box 549

Whiteville

TN

38075

City

State

Zip Code



Individual capacity



Official capacity

Defendant No. 4

Name

Mr. Jones

Job or Title (if known)

Unit Manager

Shield Number

Employer

Hardeman Prison

Address

PO Box 549

Whiteville

TN

38075

City

State

Zip Code



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

CCA-core civic Private Prison officials

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Warden & prison employees are Retaliating against me & Have Violated my civil rights

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Junit B dorm - I was raped then went to seg
then G unit A dorm

- C. What date and approximate time did the events giving rise to your claim(s) occur?

3 weeks prior to rape (April) & all time since then.

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I got raped & was made to do sexual favors to keep from getting stabbed due to gang members telling me I was reason they lost there 1000 cell phone & I'd do what they tell me to & pay for phone!! (Gang members) my cell in (JB 10 Massey) I begged my counselor to help me she told me no & I wasn't getting help she was busy & didn't want to hear nothing I said!!

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I got raped & was hit on and made to get in floor and got sodomized & had to perform oral - now that I left that unit and in PC inmates PC found out from guards I got there gang brother in seg on pre & I caused the gang lose phone they came in my cell put knife to my throat & I'm having to pay \$5 weekly to them to avoid getting stuck on, Guards will not make me, Guards make me go days without toilet paper 3 days I asked for toilet paper & had to hold my bowels due not getting toilet paper, they tell me I can't see mental Health

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I'd like to get sent to another prison, I going to be killed in matter time if I stay here, I asked warden to get me moved to another unit. He ignores me I told him about inmates putting knife to my throat I'm ignored, case manager & unit manager ignores me and refuses to help & Sgt Mann she came in my living area and cussed me in front inmates told me to quit telling them about inmates who came in my cell with knife - out loud and this made my situation worse!! I suffer mental issues I try to see mental Health they tell me mental Health don't want to see me which is lie, I only got 1 set clothes they refuse to give me more, A printed paper showing my sex offense was brought in living unit put on table for inmates to see

(Back side of paper)

Guards & Warden & Unit Manager & Sgt. [unclear] & [unclear]
 Know inmates said they were going to kill me!! Guards even
 open cell doors there not suppose to. to let Gang members go
 up in Sex offenders cell & steal there stuff, I get piss threw
 Under my door all this I want to stop my nerves cant
 Handle this I shake & cry & stay paranoid all time due to
 all this I just want this be over, Here I got raped that
 will Haunt me rest my life, Id feel safe at another prison
 & Due to being done this way I feel I should recieve some
 Type compensation for emotional & physical Abuse I had & am
 going thru & been retaliating against!!:

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Hardeman County Correctional Facility

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

They never return my Grievances or request
due to me filing Prea & Getting gang
member in trouble, They do me this
way

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- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

Junit & g-unit total 8 times

2. What did you claim in your grievance?

Not getting help

3. What was the result, if any?

Ignore!

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

They ignore them

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

-
2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

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☐ Yes

☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

06/23/20

Signature of Plaintiff

Daniel Lynn Williams

Printed Name of Plaintiff

D. Williams

Prison Identification #

467989

Prison Address

Hardeman County Correctional Facility P.O. Box 549Whiteville

City

TN

State

38075

Zip Code

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEERECEIVED
in Clerk's Office

JUL 07 2020

U.S. District Court
Middle District of TNDaniel Lynn Williams #467789
Plaintiff(s),

Case Number _____

v.

Judge _____

Warden Hall (Case manager male)
Defendant(s) (Setman)

Magistrate Judge _____

(J-B Counselor)

1983 Civil Rights Violations
(Type of Pleading)

I Daniel Lynn Williams was recently raped and made to do sexual favors due to keep from getting stabbed over gang members here at Hardeman County Correctional Facility accusing me of causing them to lose there 1000 Touchscreen cell phone, I tried several times with J-B Counselor to get her to help me over this she refused & wouldn't let me speak and told me go back to my F#%\$ing cell now!! I was sodomized and hit hard in head until I gave in and gave gang member oral sex, I finally 2 days later was able to get out of living unit cause gang members threatened me if I left unit, I was then I was able to reach out to mental health about this and they helped me, I was placed in seg unit and within 2 days several guards was spreading the news to each other about my rape (which was to be confidential I thought) I finally got the Prison to bring me to (PC) safe keeping!! Upon coming back here once I was gave my property back all my prison clothes were gone leaving me nothing but what I had own!! I requested more clothes →

that was in April & its June I still requesting clothes
 they ignore me & get others clothes all time, Since I been
 in PC inmates found about about what I came back here for
 & there gang brother getting intinable over raping me & there
 gang brother losing there cell phone, I've had knives put to my
 throat, I been Hit in head, I get my commissary tools
 & now that I went on red restricted to come out by myself
 The inmates throw piss under my door & guards popped open
 my door for inmates to come in take my stuff & they
 telling me they going to kill me & send me out leaving
 to morgue, I wrote a letter to Warden 3 times to get
 help be moved - He ignored me, I wrote Sgtmann & Casemanager
 malone & Unitmanager does asking help to be moved - They
 ignored me, I wrote Sgtmann - She came in living area
 and cursed me told me Hell no she not helping me & next
 day out of blue a copy of my Charges Showing Sexcrime
 is out on table in living area for inmates to see, I've
 begged to be moved out!! I'm not safe, Guards dont do
 there job they be sleeping in control booth here and they
 let inmates in other inmates cells that there not suppose to,
 I also cant sleep, Im shaking, Paranoid, nerves about
 shut dealing with this & scenes in my head over from rape
 all time I ask for Guards and Casemanager call mental
 Health so I can talk to them - They tell me know they
 not going to call mental Health, I was made to go 30 days
 without toilet paper & hold my bowels cause guard told
 me she was not getting me toilet paper, Guards & Warden
 all treat me this was due to the whole rape incident
 I will probably be dead soon cause I cant get help →

Daniel Lynn
(Signature)

Daniel Lynn Williams #467989
(Print Name)

HCCF

Po box 549

Whiteville TN 38075
(Address & Telephone Number, if any)

I'm now going thru mental issues bad etc to all that's happen, I got raped and was made to do things I was forced to do I didn't want to!! those images will never leave my head, now After I reported it and guards told me not to cause Gang affiliation they all treat me bad and constantly retaliating towards me, I have no shoes or bedding or clean clothes to wear cause this, A blank mat that's barely 1" thick and clothes on my back all I got, other inmates can ask for new clothes new mat anything but I've asked since April & not got nothing. I live in fear & Have dreams I going to die live to inmates tormenting me I want to be moved out this unit or to another prison, but I ignored please help me with all you can in this thank you

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the (pleading) Civil rights violations 1983
has been served on:

(Name) Warden Hall
(Address) HCCF PO box 549
(Address) Whiteville TN 38075

(Name) CASE manager Malone
(Address) HCCF PO box 549
(Address) Whiteville TN 38075

(Name) UNIT manager JONES
(Address) HCCF PO box 549
(Address) Whiteville TN 38075

(Name) SGT. Mann
(Address) HCCF PO box 549
(Address) Whiteville TN 38075

(Name) J-B unit counselor
(Address) HCCF PO box 549
(Address) Whiteville TN 38075

(Name) _____
(Address) _____
(Address) _____

(Name) _____
(Address) _____
(Address) _____

(Name) _____
(Address) _____
(Address) _____

(Name) _____
(Address) _____
(Address) _____

on the 23 day of June, 2020.

Daniel Lynn Williams
Signature

Daniel Lynn Williams 467989
~~PO Box~~ Hardeman County Correctional Facility

PO Box 549

Nashville, TN 38075

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Hardeman County
Correctional Facility
in Clerk's Office Outgoing Legal Mail

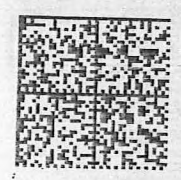
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U.S. District Court
Middle District of TN

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Nashville, TN 37203

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